

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

N.H.R.C – Case No.586/1/11/2008-2009-AD/OC – Death of Remand Prisoner No.588, Chukka Bala Anthony, S/o Ranganna on 7.10.2008 on the way from Central Prison, Kadapa to RIMS Hospital, Kadapa – National Human Rights Commission recommended to pay an amount of Rs.30,000/- as monetary relief to the next kin of the deceased – Sanction accorded – Orders – Issued.

-----  
HOME (PRISONS-HRC) DEPARTMENT

G.O.RT.NO. 737

DATED:19-03-2013

Read the following:

- 1.From the Assistant Registrar (Law), National Human Rights Commission, New Delhi, Letter No.586/1/11/2008-09-AD/OC, dated 13/21-04-2011.
- 2.G.O.Ms.No.195, Home (Pri.HRC) Department, dated 28-07-2011.
- 3.From the Director General of Police, CID, A.P., Hyderabad, Letter No.1971/C-31/CID/2011, dated 13-12-2011.
- 4.Government Letter No.13182/Pri.HRC/2011-8, dated 17-12-2011.
- 5.From the Assistant Registrar (Law), National Human Rights Commission, New Delhi, Letter No.586/1/11/2008-09-AD/OC, dated 23/24-01-2012.
- 6.From the Joint Registrar (Law), National Human Rights Commission, New Delhi, Show Cause Notice No.586/1/11 /2008-09-AD/OC, dated 15-11-2012.
- 7.From the Director General Prisons and Correctional Services, A.P., Hyderabad, Letter No. Jud-3/1117/2008, dated 28-12-2012.
- 8.Government Letter No.13182/Pri.HRC/2011-8, dated 13-02-2013.
- 9.From the Assistant Registrar (Law), National Human Rights Commission, New Delhi, Letter No. 586/1/11/2008-09-AD/OC, dated 19/28-01-2013.

**ORDER:**

Whereas Smt. Chukka Lakshmamma, R/o Koilakuntla Town, Kurnool District, filed a petition before the National Human Rights Commission, New Delhi alleging that on 03-10-2008 her husband Sri. Chukka Bala Anthony was illegally detained in police custody for 3 days and later sent to Central Jail, Kadapa, by the Court, and he died on 07-10-2008 on the way from Central Prison, Kadapa to RIMS Hospital, Kadapa.

2. In the reference first read above, the National Human Rights Commission, New Delhi has stated that post-mortem report indicates seven ante-mortem injuries on the body of the deceased. No poison was found during the chemical analysis of the viscera. The final cause of death was stated as due to fracture of skull bones associated with hematoma of the

p.t.o

brain due to blunt force. In the Magisterial Enquiry, the Magistrate concluded that the deceased was suffering from withdrawal symptoms of alcohol even at the time of admission in Sub-Jail, Koilakuntla and later in Central Prison, Kadapa, the prisoner behaved madly hitting his head against the walls of the prison cell. This resulted in injuries as mentioned by the doctors. No one could be held responsible for the death of the deceased prisoner. Hence the Hon'ble Commission, after considering the reports, directed the Government to get the matter relating to the death of Remand Prisoner No.588, Chukka Bala Anthony enquired through the State CID and to submit a report within three months i.e., by 27-07-2011.

3. In the reference second read above, the Government has issued orders entrusting the case to State CID and requested the Additional Director General of Police, CID, Andhra Pradesh, Hyderabad to submit the investigation report to the Government immediately. Accordingly the Additional Director General of Police, CID, Hyderabad vide letter third read above furnished the investigation report to the Government. The Government vide letter fourth read above furnished a copy of the investigation report to the National Human Rights Commission, New Delhi for necessary action.

4. In the reference fifth read above the National Human Rights Commission, New Delhi has directed the Government to initiate suitable departmental action against the erring Inspector and other police staff of PS, Koilakuntla, Kurnool District, for illegal detention of the accused for three days and send action taken report within six weeks i.e., by 12-03-2012.

5. In the reference sixth read above the National Human Rights Commission, New Delhi has issued Show Cause Notice u/s 18 of Protection of Human Rights Act, 1993 to the Chief Secretary, Government of Andhra Pradesh calling upon him to show cause as to why monetary relief should not be recommended to be paid to the next kin of the Remand Prisoner No.588, Chukka Bala Anthony.

6. In the reference seventh read above the Director General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad has furnished reply to the Show Cause Notice. Accordingly, the Government vide letter eighth read above furnished the reply to the show cause notice and also action taken report on the police staff of PS Koilakuntla, Kurnool District, to the National Human Rights Commission for placing the same before the Hon'ble Commission.

7. In the reference ninth read above, the Commission considered the reply and recommended the Government U/s 18(a) (i) of the Protection of Human Rights Act 1993 to pay a sum of Rs.30,000/- (Rupees thirty thousand only) as compensation to the next of kin/family members of the deceased accused Chukka Bala Anthony for violation of human rights of life and liberty for a period of three days by the Police Inspector and ASI of PS Koilakuntla, Kurnool District, Andhra Pradesh. The Commission also directed to furnish action taken report and proof of payment within two months positively i.e., by 23-03-2013.

Contd.....

::3::

8. The Government after careful examination, hereby accord sanction for an amount of Rs.30,000/- (Rupees thirty thousand only) towards payment of compensation to the legal heir of the deceased Remand Prisoner No.588, Chukka Bala Anthony who died on 07-10-2008 as directed by the National Human Rights Commission, New Delhi.

9. The amount sanctioned in para (8) above shall be met from provision available under the Head of Account "2056 Jails – 101. Jails – SH (04) Jails – 500 other charges -501 Compensation (Non Plan)".

10. The Director General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad, is authorized to draw the amount sanctioned in para (8) above and place it at the disposal of the Collector & District Magistrate, Kurnool, for making payment to the legal heir of the Remand Prisoner No.588, Chukka Bala Anthony and submit the proof of payment to the Government at an early date.

11. The Director General of Prisons and Correctional Services Andhra Pradesh, Hyderabad, shall take necessary action accordingly.

12. This order issues with the concurrence of Finance (Exp.Home) Department, vide their UO No.6388/124/Exp.Home.II/2013, dated:18-03-2013.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

PRABHAKAR D.THOMAS  
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Director General of Prisons and Correctional Services, A.P.,  
Hyderabad.

The Collector & District Magistrate, Kurnool.

The Joint Registrar (Law), National Human Rights Commission,  
Faridkot House, Copernicus Marg, New Delhi.

The Accountant General, (A&E), A.P., Hyderabad.

The Director of Treasuries & Accounts, A.P., Hyderabad.

The Pay & Accounts Officer, Hyderabad.

Copy to:

The General Administration (HRC) Department.

The Finance (Exp.Home) Department.

The Finance (BG) Department.

Home (Services-I) Department.

SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER